



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

DEC 26 2006

Honorable Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, DC 20426

Dear Secretary Salas:

Re: Rockies Express Western Phase Project, Construction and Operation for the Natural Gas Pipeline Facilities: Rockies Express (CP06-354-000), TransColorado (CP06-401-000) and Overthrust (CP06-423-000), CO, WY, NE, KS, MO, and NM

This letter provides the U.S. Environmental Protection Agency's (EPA) comments for the Draft Environmental Impact Statement (DEIS) for the subject pipeline project. EPA Regions 6, 7, and 8 have reviewed this DEIS in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The DEIS was assigned the Council on Environmental Quality (CEQ) number 20060465.

Based on our overall review and the level of our comments, EPA rated the DEIS for this project EC- 2 (Environmental Concerns-Insufficient Information). Please refer to the attached "*Summary of Rating Definitions*" for further details on EPA's rating system. EPA believes that additional information is needed to inform decisions on compressor station siting location, and on water acquisition and discharge for the hydrostatic testing. EPA understands that the applicants are developing this information for individual construction, and discharge permits, however we believe that this information should be comprehensively presented within the Final Environmental Impact Statement to facilitate universal understanding among approval and permitting authorities.

Clean Air Act

The results of the air dispersion modeling for Rockies Express (noted to be already complete on page 4-216) is not provided in the DEIS. The Final Environmental Impact Statement (FEIS) should include information regarding the Prevention of Significant Deterioration (PSD) construction permit and operating permit process, controls required by the permits, and the amount of PSD increment that will be consumed at compressor station locations where PSD available increment may be limited (i.e. Blanco, Wamsutter, Rock Springs, and Meeker). If the increment consumption of new compression is significant, future industrial growth could be limited in these areas.

Hydrostatic Test Waters

EPA recommends that the FEIS evaluate the potential for aquatic nuisance species, pathogens or other organisms to be transported beyond their watershed of origin via discharges of hydrostatic test waters. EPA also recommends that the final EIS evaluate the extent to which any state aquatic nuisance species control plans (see <http://www.anstaskforce.gov>) may be applicable to this proposed project.

To rule out the possibility that corrosion preventatives could become mobilized during a hydrostatic test, (and thereby constitute a discharge "pollutant"), EPA recommends a review of internal corrosion preventatives for pipeline materials that will be used for this project. Products that could be mobilized should be disclosed in individual permit applications.

Other Comments

Page 2-20, second paragraph - Horizontal Directional Drilling (HDD) is proposed for the Missouri River Crossing at St. Joseph Missouri. Recent investigations by the U.S. Geological Survey (USGS) have found significant river bed degradation (down-cutting) in the river reach between St. Joseph, Missouri to a point slightly downstream of Kansas City, Missouri. EPA recommends consultation with the USGS (Mr. Dale Blevins, 816-254-5824) to determine appropriate HDD elevations.

Page 3-14, Section 3.5.1 (Facility Siting criteria) - Thirteen (13) criteria were utilized to determine preferred locations for siting compressor stations. EPA would recommend utilizing the results of required air dispersion modeling as a 14th criteria to ensure that the proposed siting determinations remain correct when considering the cumulative effects of the new compressor station when also considering other existing and reasonably expected future air pollution sources.

Page 4-8, Second paragraph - This paragraph reiterates the proposal to install the pipeline with HDD at the Missouri River crossing. EPA agrees that disruption of soils and sediments would be minimized if this technique is possible at this location. However, since HDD could be abandoned for an alternate installation technique, (due to geological conditions and scour potential constraints), EPA recommends including a discussion in the FEIS of alternative pipeline installation methods, and possible environmental consequences associated with those methods.

Page 4-35, second paragraph - Pertaining to the source of water for dust control, EPA points out that the entire Missouri River basin is enduring it's 8th year of a prolonged drought. If the drought persists, availability of water may be a constraint not only for dust suppression, but also for hydrostatic testing. EPA recommends contingency planning for such a drought condition in order to avoid a schedule disruption.

EPA appreciates the opportunity to review and comment on the DEIS. Please send one copy of the FEIS to the address indicated on the letterhead above (Mail Routing: ENSV/IO), and one copy to EPA Regions 6 and 8 (addresses below) at the time the FEIS is filed with EPA's

Washington, D.C. office. If you have any questions, please contact Mr. Joseph Cothorn, NEPA Team Leader, (913) 551-7148, or at cothorn.joe@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "U. Gale Hutton", with a stylized flourish at the end.

U. Gale Hutton

Director

Environmental Services Division

cc:

Ms. Rhonda Smith
USEPA REGION 6
1445 Ross Avenue Suite 1200
Mail Code: 6ENXP
Dallas, TX 75202-2733

Mr. Steven Pratt
USEPA REGION 8
999 18th Street Suite 300
Mail Code: 8EPR-N
Denver, CO 80202-2466

Mr. Cliff Rader
HQ USEPA
Office of Federal Activities

Draft Environmental Impact Statement Rating Definitions

Environmental Impact of the Action

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer

has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.